



WAGNER BLECHER LLP  
123 Westridge Drive  
Watsonville, CA 95076  
(408) 377-0500

PATENT APPLICATION

ATTORNEY DOCKET NO. 9084.ALG.US.P

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Amir ABOLFATHI et al.

Confirmation No.: 2843

Application No.: 10/786,759

Examiner: Melba N. Bumgarner

Filing Date: February 24, 2004

Group Art Unit: 3732

Title: ARCH EXPANDER

Commissioner For Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner date, 06/14/2007, rejecting the following claims 40-45. The fee for this Notice of Appeal is (37 CFR 1.17(B)) \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.13 6(a) apply.

- ☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (FEES: 37 CFR 1.17 (a)-(d) for the total number of months checked below:

☐ 1st Month  
\$120

☐ 2nd Month  
\$450

☐ 3rd Month  
\$1020

☐ 4th Month  
\$1590

- ☐ The extension fee has already been filed in this application

- ☒ Enclosed please find a Pre-Appeal Brief Request for Review

- ☒ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please find enclosed a check in the sum of \$ 500. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 50-4157 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 50-4157 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

- ☒ I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Commissioner for Patents, Alexandria, VA 22313-1450  
Date of Deposit: August 24, 2007

OR

- ☐ I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number (571)273-8300.

Date of facsimile:

Typed Name: Emilie Benschoter

Signature: 

Respectfully submitted,  
Amir ABOLFATHI et al.

By 

John P. Wagner, Jr.

Attorney/Agent for Applicant(s)

Reg No. : 35,398

Date : August 24, 2007

Telephone : 408-377-0500

08/31/2007 HVUONG1 00000007 10786759

01 FC:1401

500.00 DP